

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ADVANCED KNOWLEDGE TECH, LLC,

Plaintiff,

-against-

21-cv-992 (PKC)

ORDER

MARCELLO FLEITAS,

Defendant.

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CASTEL, U.S.D.J.

The Court issued its Opinion and Order on December 28, 2021 deciding defendants’ motion to dismiss the First Amended Complaint. Defendant now requests “that discovery in this action be stayed to permit briefing for a motion to renew and/or reargue the motion to dismiss. . . .” (Doc 39.) The application for a stay is DENIED. The application to renew and/or reargue is DENIED as woefully beyond the 14-day period set forth in Local Civil Rule 6.3.

The Court has reviewed and considered the First Set of Document Requests discovery requests and defendants’ responses thereto in light of the extensive submissions of counsel. (Docs 39-43.) The Court Orders as follows:

1. The time period for each of plaintiff’s discovery requests in the First Requests for Documents is limited to the period from June 30, 2019 to the present with the exception of First Document Requests 35-39, 41-42, 43, 52-57, which stand as written.

2. Defendant shall produce all documents responsive to First Document Request 2-7, 19-32, 34, 35-39, 41-43, 45-46, 50, 51-57.

3. Expert discovery shall be in accordance with Rule 26 and the Case Management Plan and Scheduling Order.

4. No interrogatories may be served, and none need be responded to, except if they are in compliance with Local Civil Rule 33.3.

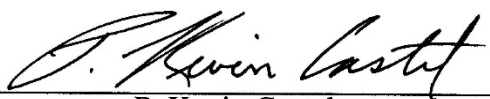
5. Defendant shall produce all documents responsive to the document requests identified in paragraphs 1 and 2 above by October 28, 2022. If defendant contends that any document is protected by a privilege, the defendant shall by October 28, 2022 provide the information required by Local Civil Rule 26.2.

6. All other relief sought by either party is either denied or denied without prejudice.

7. Failure to comply with this Order with result in the full measure of sanctions provided in Rule 37, including but not limited to striking a party's pleading and entering a default judgment.

8. The Clerk shall terminate the letter motions (Doc 39 and 40).

SO ORDERED.


P. Kevin Castel
United States District Judge

Dated: New York, New York
October 5, 2022